



Attorney Docket No.: 99.49

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Dreher, et al.

Serial No.: 09/482,773                          Group Art Unit: 1619

Filed: January 13, 2000                          Examiner: A. Berman

For: Optical Makeup Composition

**Statement under 37 C.F.R. 1.48 (a) (1)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. 1.48 (a) (1), I, George J. STEPNIEWSKI, declare that the present application was filed with the incorrect inventorship and further, that this error occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 6-11-02

George J. STEPNIEWSKI  
26 Glendale Drive  
Melville, NY 11747

EU 156 057 065 US

Docket No.  
99.49**Declaration and Power of Attorney For Patent Application****English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Optical Makeup Composition**

the specification of which

(check one)

is attached hereto.

was filed on 13-Jan-2000 as United States Application No. or PCT International Application Number 09/482,773

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)****Priority Not Claimed**

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

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(Application Serial No.)

(Filing Date)

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(Application Serial No.)

(Filing Date)

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(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

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(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

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(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

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(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

**Karen A. Lowney - 31,274**

**Dorene M. Price - 43,018**

**Martin W. Haerter - 37,842**

**Peter M. Giancana - 44,706**

Send Correspondence to: **Karen A. Lowney**  
**Estee Lauder Companies, Inc.**  
**125 Pinelawn Road**  
**Melville, NY 11747**

Direct Telephone Calls to: (*name and telephone number*)

**Karen A. Lowney 631-531-1191**

Full name of sole or first inventor <b>John D. Dreher</b>	Date
<i>John D. Dreher</i>	6-11-02
Residence <b>727 Durham Road, Sayville, NY 11782</b>	
Citizenship <b>US</b>	
Post Office Address <b>727 Durham Road, Sayville, NY 11782</b>	

Full name of second inventor, if any <b>George J. Stepniewski</b>	Date
<i>George J. Stepniewski</i>	11 June 2002
Residence <b>26 Glendale Drive, Melville, NY 11747</b>	
Citizenship <b>US</b>	
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**Right Of Assignee To Take Action 37 C.F.R. 3.73 (b) and  
Written Consent Of The Assignee 37 C.F.R. 1.48 (a) (4)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. 1.48 (a) (4), I, Karen A. Lowney, give consent on behalf of the Assignee (Color Access, Inc.) to the change of inventorship in the present application by adding George J. Stepniewski. The new and correct inventorship is DREHER, John D. and STEPNIEWSKI, George J.

Evidence of ownership of the application by Color Access, Inc. is located in the Patent Office at Reel 011154, Frame 0938.

Date: 6/11/02

Respectfully submitted,

Karen A. Lowney  
Assistant Secretary for Color Access, Inc.  
125 Pinelawn Road  
Melville, NY 11747